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May 22, 2023

Hon. Paul G. Gardephe, U.S.D.J.
United States Courthouse
40 Foley Square
New York, NY 10007

RE: Motion for Summary Judgment
Great Lakes Reinsurance (UK) SE v. Peter Herzog
S.D.N.Y. Case No. 16-CV-09848-PGG

Dear Judge Gardephe:

Please accept this letter as my sincere apology, and somewhat anxious explanation, for my mistake in contending that the late Mr. Heffner was not named or referenced by Defendant as somebody who might have relevant knowledge of the matters in litigation in this case.

In responding to Defendant's Supplemental Submission [Dkt. No. 115] regarding whether the Court should consider the Declaration of the late Mr. Heffner, I regret to admit that I reviewed only Defendant's answers to interrogatories and Rule 26 disclosures, in neither of which was there any reference to Mr. Heffner. However, I failed to look at my own Rule 26 disclosures in which I did indeed include Mr. Heffner as a potential witness with relevant knowledge, etc.

My failure was one of simple carelessness, with no intention to mislead the Court, and most certainly with no intention to lie to the Court. I respectfully ask the Court to accept my apology and my explanation, submitted in good faith.

Very truly yours,

THE GOLDMAN MARITIME LAW GROUP

Steven E. Goldman

BY: STEVEN E. GOLDMAN

SEG/vmg